

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

ERIC WEINER, Individually and on behalf  
of all other similarly situated,

Plaintiffs,  
vs.

TIVITY HEALTH, INC., ET AL.,

Defendants.

Case No.: 3:17-cv-01469

Chief Judge Crenshaw  
Magistrate Judge Newbern

**MOTION FOR ADMISSION *PRO HAC VICE***

The undersigned counsel for Lead Plaintiff Movant Oklahoma Firefighters Pension and Retirement System, respectfully move this Court for an order admitting Steven J. Toll as counsel *pro hac vice*.

Mr. Toll is an attorney at Cohen Milstein Sellers & Toll PLLC, located at 1100 New York Avenue, N.W., East Tower, Suite, 500, Washington, D.C. 20003. Mr. Toll's telephone number and email are: (202) 408-4600, [stoll@cohenmilstein.com](mailto:stoll@cohenmilstein.com).

Mr. Toll is admitted to practice before the United States District Court the District of Columbia. There are no disciplinary actions or investigation of documents pending in any jurisdiction for Mr. Toll.

Mr. Toll agrees to subject himself to the jurisdiction of the courts of Tennessee in any manner arising out of his conduct in such proceedings and agrees to be bound by the Code of Professional Responsibility applicable to Tennessee lawyers and the interpretation thereof by Tennessee courts.

Mr. Toll has associated with Benjamin A. Gastel and James Gerard Stranch of the law firm Branstetter, Stranch & Jennings, PLLC, 223 Rosa L. Parks Avenue Suite 200 Nashville, TN 37203, for his appearance *pro hac vice* in this matter.

In support of this motion, Certificates of Good Standing from the United States District Court for the District of Columbia are attached for this applicant.

A proposed order granting this motion is filed contemporaneously herewith.

Dated: January 31, 2018

Respectfully submitted,

/s/Benjamin A. Gastel

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*Attorneys for Lead Plaintiff Movant*

## CERTIFICATE OF SERVICE

I hereby certify that on this 31<sup>st</sup> day of January 2018, I electronically filed the foregoing documents using the Court's CM/ECF system, and a copy of this filing will be sent electronically to the registered participants as identified on the Notice of Electronic Filing. The following counsel will receive service via the Court's CM/ECF system at the email addresses listed below:

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*Attorneys for the Defendants*

*/s/ Steven J. Toll* \_\_\_\_\_

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